IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA
C.W.P. No: 1367 of 2002

Judgment reserved on:19.6.2007

Date of decision: 19.7.2007

State of H.P. and others **Petitioners**

Versus

Duni Chand **Respondent**

Coram

The Hon'ble Mr. Justice Deepak Gupta, J

The Hon'ble Mr. Justice V.K.Ahuja, J.

Whether approved for reporting?[1]

Mr. M.S.Chandel, Advocate General, with Mr. R.M.Bisht, Deputy Advocate General, for the petitioner.

Mr. Ashwani Kumar Sharma, counsel for the respondent.

Per Deepak Gupta, J.

This writ petition is being disposed of in light of the decision of date rendered in CWP No. 180 of 2001.

In this case as per the man days chart, the employee has completed 240 days in a year continuously from 1.1.1988 only. He was regularised w.e.f. 1.1.1998 on completion of 10 years service. The workman retired from service on 31.5.2000, i.e. after 2 years and 5 months of regular service. Even if the 50% of the service rendered by the workman i.e. 5 years on daily wages is added, the total qualifying service comes to 7 years and 5 months

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[1] ***Whether the reporters of the local papers may be allowed to see the Judgment?***

only. The workman is, therefore, not entitled to pension. The order of the learned Tribunal directing that he be paid pension is totally illegal and is accordingly set aside. The writ petition is allowed.

(Deepak Gupta), J.

July 19, 2007(K) (V.K.Ahuja), J.